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February 4, 2005

VIA HAND DELIVERY

Chairman Pat Miller
c/o Sharla Dillon, Docket Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243

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Re: *Petition of Tennessee American Water Company to Change and Increase Certain Rates and Charges So As to Permit It to Earn a Fair and Adequate Rate of Return on Its Property Used and Useful In Furnishing Water Service to Its Customers, Docket No. 04-00288.*

Dear Chairman Miller:

Enclosed please find the original and thirteen (13) copies of Tennessee American Water Company's Motion for an Order Authorizing Tariffs to become Effective on February 7, 2005 for filing in the above-referenced docket.

Should you have any questions with respect to this filing, please do not hesitate to contact me at the telephone number listed above.

Very truly yours,



R. Dale Grimes

RDG/tn
Enclosure

cc: Jean Stone, Esq. (w/ enclosures)
Paul Diskin (w/enclosures)
Michael A. Miller (w/ enclosures)
T. G. Pappas, Esq. (w/ enclosures)
Certificate of Service List

**BEFORE THE TENNESSEE REGULATORY AUTHORITY
NASHVILLE, TENNESSEE**

IN RE:)
)
PETITION OF TENNESSEE AMERICAN)
WATER COMPANY TO CHANGE AND)
INCREASE CERTAIN RATES AND)
CHARGES SO AS TO PERMIT IT TO)
EARN A FAIR AND ADEQUATE RATE)
OF RETURN ON ITS PROPERTY USED)
AND USEFUL IN FURNISHING WATER)
SERVICE TO ITS CUSTOMERS)

Docket No. 04-00288

**TENNESSEE AMERICAN WATER COMPANY'S MOTION FOR AN ORDER
AUTHORIZING TARIFFS TO BECOME EFFECTIVE ON FEBRUARY 7, 2005**

Petitioner Tennessee American Water Company ("TAWC") respectfully moves the Tennessee Regulatory Authority ("TRA") to enter an order authorizing the Company to make effective on February 7, 2005 the revised tariffs (filed on February 4, 2005) that implement the Settlement Agreement that was agreed upon by the parties and approved by the TRA at the hearing on January 31, 2005.

As grounds for this motion, TAWC states that, on January 31, 2005, the TRA approved the Settlement Agreement among the parties that resolved all issues in this proceeding, including the rate design. On February 4, 2005, the parties filed the final Settlement Agreement confirming the terms and conditions of the settlement among the parties. That same day, TAWC filed the revised tariffs.

Section 1220-4-1-.06(4) of the Rules of the TRA's Division of Public Utilities requires all tariffs to be filed at least thirty days before the date upon which they are to become effective. However, that rule also provides that the TRA may waive the thirty-day waiting period upon application and for good cause shown. TAWC submits that there is good cause to implement the

tariffs on February 7, 2005. Specifically, the Company relies upon the fact that, as set forth more fully in the Settlement Agreement, the parties have agreed that (1) there is a revenue deficiency that requires an across the board rate increase; and (2) the public fire hydrant service charges should be transferred to all customer classes in an across the board rate increase. The TRA has approved the Settlement Agreement and the rate design. The attrition year on which the revenue deficiency is calculated is the calendar year 2005. There is no good reason for delaying implementation of the revised tariffs.

Consequently, the Company requests permission to implement the revised tariffs on February 7, 2005 or as soon thereafter as the TRA deems appropriate.

Respectfully submitted,



R. Dale Grimes (#6223)

J. Davidson French (#15442)

T. G. Pappas (#2703)

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Counsel for Petitioner

Tennessee American Water Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been served via the method(s) indicated, on this the 4th day of February, 2005, upon the following:

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